



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2503664

Applicant Name: Kevin Weare for Robert Lindsley

Address of Proposal: 4848 18th Avenue SW

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into five parcels of land. Proposed parcel sizes are: A) 7,268 sq. ft., B) 7,268 sq. ft., C) 13,227 sq. ft., D) 7,538 sq. ft., E) 8,259 sq. ft. The existing single family residence will remain.

The following approval is required:

Short Subdivision - to create five parcels of land.
(SMC Chapter 23.24)

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: SF 7200

Uses on Site: One single family residence.

Public Comment: One comment letter was received during the comment period which ended September 7, 2005. Concerns were expressed about increased demand for onstreet parking, the existing inoperable vehicles on the site, and the site adjoins a greenbelt wildlife habitat which is home to a red fox, pileated woodpeckers, and bald eagles.

Geotechnical Report

A 40 percent steep slope is located on the east edge of the northern lots off of the property. The soils report stated that no indications of past or ongoing slope movement on the site were observed and the risk of shallow or deep-seated landslides is low. The slope to the east will not be disturbed. However, it was recommended that all storm water from impermeable surfaces be tightlined into an approved storm water drainage system and no storm water should be allowed to discharge onto or near the top of the slopes to reduce the erosion hazard. Vegetation cover should be maintained on the slope. Footings for the development on the northeast lot should be extended through the potential fill to native soils.

Wildlife Habitat Assessment

The assessment concluded that the central and north lots contain little to no actual or potential wildlife habitat and therefore subdivision and development would have no effect in this area. The majority of vegetation in the south part of the property does not provide suitable wildlife habitat and subdivision and development would have no significant effects on wildlife or habitat.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, and Parks and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is located in an environmentally critical area and the requirements of SMC 25.09.240 have been

met. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION – SHORT PLAT

The proposed short plat is **CONDITIONALLY GRANTED**.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA)m WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 7, 2005. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects for the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-term Impacts

The following temporary or construction-related impacts to the environmentally critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to applicable SEPA policies.

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2)(C).

CONDITIONS – SHORT PLAT

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Provide on the plat a joint use and maintenance agreement.
2. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat “For conditions of approval after recording see page ____ of ____.”
3. Provide on the plat the required Seattle City Light easement.
4. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
5. Provide an easement, covenant, or other legal agreement for an address sign to benefit Parcel B at a location visible from **18th Avenue SW** and to ensure that the address signage is maintained.

6. Submit the recording fee and final recording forms for approval.
7. Identify the 15 foot wide 40 percent steep slope buffer on the plat map per Section 25.09.060A of the ECA Ordinance.
8. Revise the plat map to comply with the 2003 Fire Code Sections: 503.1.1 Buildings and Facilities, 503.2.1 Dimensions, 503.2.3 Surface, and 503.2.5 Dead Ends.

Prior to Issuance of any Building Permit

9. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

CONDITIONS – SEPA

None.

Signature: (signature on file)
Malli Anderson, Land Use Planner
Department of Planning and Development

Date: June 19, 2006